IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 16TH OCTOBER 2006 / 24TH ASWINA 1928

Bail Appl..No. 6121 of 2006

MP.4192/2006 of J.M.F.C.,PERUMBAVOOR
CRIME NO.611/2006 OF PERUMBAVOOR POLICE STATION

PETITIONER/ACCUSED

SAJEEV @ SAJI,
S/O.KAMALESAN, RESIDING AT THE HOUSE OF PICHAKAM,
W/O.VIDYAN, KAITHAVALAPPIL VEEDU, KOLOTHUMKADAVU
KARA, PALLIPPURAM VILLAGE, (OLD ADDRESS KANAKKUM-
PATT VEEDU, CHETTIBHAGAM BHAGAM, MANNAMTHURUTH
KARA, VARAPPUZHA VILLAGE, ERNAKULAM DISTRICT.

BY ADV. SRI.C.S.MANU
SRI.ANOOP.V.NAIR

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY D.G.P. SRI. P.G. THAMPI

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 6121/2006

DATED THIS THE 16TH DAY OF OCTOBER, 2006

O R D E R

The petitioner is accused of the offfence punishable under Sections 3 and 25(1)(a) of the Arms Act, in crime No.611/2006 of Perumbavoor Police Station. It is alleged that on 10.8.2006 at 1.00 a.m, he was found with an unlicensed country made revolver at the K.S.R.T.C bus stand at Perumbavoor. He was arrested and he remains in judicial custody from 10.8.2006 onwards.

2. The prosecution submitted that there are number of criminal cases registered against him and the investigation is yet to be completed regarding the source of possession of the fire arm, and other details and connections, which the petitioner had got in relation to the possession of the fire arm. The counsel for the petitioner, however, submitted that the petitioner had got bail in all other crimes, that had been registered against him. Under Section 167(2) Cr.P.C, the petitioner is

entitled to get bail after sixty days, if the investigation is not complete.

3. The Director General of Prosecution submitted that the opinion of the ballistic expert has not yet been received and other connections have not yet been ascertained.

4. Considering the materials that are placed before me, together with the duration of the judicial detention, I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.50,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class, Perumbavoor.

(b). The petitioner shall report before the Investigating Officer, once in a week on every Thursday, between 10.00 a.m and 11.00 a.m., for a period of six months, starting from 19.10.2006, and thereafter, on the first working day of

every month, between the same timings, till the completion of the trial and final disposal of the case.

(c). The petitioner shall not leave the State of Kerala, until the completion of the trial and final disposal of the case

(d). The petitioner shall not interfere with the investigation in any manner, or attempt to influence or threaten the witnesses or cause any hindrance to the smooth conduct of the trial.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs